

WILLARD CITY CORPORATION PC041615

DATE: April 16, 2015
TIME: 6:30 p.m.
PLACE: Willard City Hall
ATTENDANCE: Chairperson – Terry Ross
Commissioners: Sidney Bodily, Leslie Meyer, Jasmine Baker, Chandler Bingham
Bryce Wheelwright - City Planner (non-voting member)
Gaylene Nebeker - Planning Commission Secretary
EXCUSED: Gary Hart, Michelle Mund – City Council member (non-voting member)
CITIZENS: See attached sheet

1. **Prayer** – Chandler Bingham
2. **Pledge of Allegiance** –Jasmine Baker
3. **General Public Comment (Input for items not on the agenda)**
4. **Discussion Item**
 - a. **Doug Young – Concept Plan for a revised Planned Development called Elk Run at Willard Bay located between 600 South and 850 South Parcels #02-0006, 0007, 0008, 0017, 0018 and 0040**

Ryan Tingey representing Doug Young was present to answer any questions the Planning Commission had on the proposed concept plan. Chairperson Ross stated on one of the plans there was a storm drainage detention pond at the northeast corner of 635 South. Ryan stated there is storm drain at the bottom of 600 South that drains into Willard Bay that Doug will be hooking into. The only place Doug will need one will be on the south side of development because of the way the water would flow. Ryan said the plan shows lots that have greater than ½ acre density and will have 40% open space. The reason he stayed with the PUD (Planned Unit Development) is because he has lots with 85 and 96 ft. frontage there will be some lots that are 10,000 sq. ft. lots on the south side. With this new plan there will be 125 less homes.

Commissioner Bingham asked about 100 West. Ryan stated 100 West would be their open space and will be leaving it open and undeveloped. Ryan said Doug does not need the road so he will not be putting it in. Doug could also dissolve 100 West and make all the frontages 100 ft. Ryan suggested leaving the corridor there for the future would be a good idea. There was discussion on lot sizes and it was stated there were several lots less than 10,000 sq. ft. Ryan stated in order to make the lots 10,000 sq. ft. they would need to take some of 100 West. Ryan said with the difference in lot sizes is because the way the services are put in. There was discussion on a lot size negotiations clause in the ordinance. City Planner Wheelwright said the Willard City Zoning Ordinance requires 10,000 sq. ft. lots. Chairperson Ross asked if the negotiation clause could be used to keep 100 West. Commissioner Bingham stated the negotiation clause does not come into effect until the whole development is approved. City Planner Wheelwright read from the Willard Estates Development Agreement #25 *"Development within the Willard Estates project area will adhere to the requirement of the current Willard City PD ordinance as well as these conditions of approval. In the event densities are proposed that vary from the original concept plan, approval from the Planning Commission and City Council will be required prior to obtaining plat approval."* He stated you would be able to negotiate and was not sure having 100 West as open space would work stating once open space is approved it would need to remain as open space. Ryan stated Doug has 40% open space so if you need to take out of that he would still have his required 30% open space.

There was discussion held on the lots that are less than 10,000 sq. ft. Ryan asked if they wanted 10,000 sq. ft. lots or 100 West. Commissioner Bodily said 100 West is on the Master Road Plan as an approved road. Commissioner Bingham felt there could be adjustments made to Lot #109 and #110 to make up the difference on the smaller lots and still keep the integrity of the plan. Ryan said what he is looking for tonight is for this item to be set for a public hearing on May 7th. City Planner Wheelwright stated the Willard City Engineer has not had a chance to review the proposal. Ryan said the plans had been turned into the engineer who will only be looking at the water. Doug is going to connect the water line from the south side to the north side along 200 West so it would loop the system.

Commissioner Meyer asked if we needed the information back from the engineer before a public hearing could be set. It was stated the public hearing could be set contingent on the information we receive back from the engineer. City Planner Wheelwright asked if the remainder of the Development Agreement stands the way it is. Ryan stated that is not up for discussion tonight but would need to be a discussion between Willard City staff and attorney. Chairperson Ross said the plans look good but does not understand why he did not go with his approved plan. Ryan stated the Mayor told him the city does not want a park in his development because parks are expensive and would be a burden on the taxpayers. Commissioner Bodily said at the work-session that was held he understood the City Council say at this time the city may not want a park in this development but at some point they will but have the land set aside for the future. Ryan said if the church does not want the land set aside for them this may be a great place for the park. He understood the church would like to build on Hwy 89 but not sure at this time where they were going to build.

Chairperson Ross stated on the Master Land Use Plan there are large circles in his development showing a park and felt there needed to be land set aside. Ryan stated in the Development Agreement Doug would only be putting in the improvements for the open space. Chairperson Ross asked for any additional input from the Planning Commission. They were all ok with the plan with the exception of the minor lot line adjustments and keeping 100 West. Ryan stated if 100 West is on the Master Road Plan he would talk to Doug about putting the road in and said Doug will be giving 33 ft. on 600 South. City Planner Wheelwright stated that 600 South would not be improved because the entrance will now be located at 625 South which will leave 33 ft. for the other landowners in the area. Commissioner Bodily asked if there was only one entrance into the development. Ryan stated 200 West would be going all the way through connecting 625 and 825 South. City Planner Wheelwright asked if Doug was going to connect both north and south properties along 200 West by the Wells and Watkins properties. Ryan stated yes, but it will not be paved only improved. Commissioner Bodily asked why 600 South was not going to be improved. City Planner Wheelwright stated because he does not own it.

Chairperson Ross asked for a motion to set a public hearing.

A motion was made by Commissioner Bodily to schedule a public hearing for May 7, 2015 with changes to the required lot sizes and contingent upon the engineers review and approval. The motion was seconded by Commissioner Meyer. The motion carried.

b. Review of proposed changes to Section 12-000 Willard City General Plan

Chairperson Ross asked for any additional changes to the plan. Commissioner Meyer removed a sentence under 12-001 *"This document uses results of plans and studies along with ideas and criticisms that surfaced in its development."* Commissioner Meyer asked if separate public hearings needed to be held on both this item and Doug Young's. It was stated both items could be discussed on May 7th.

It was asked if having both of these meeting on the same night would be too overwhelming. The Planning Commission stated they would all be ok with holding both meetings on the same night. City Planner Wheelwright voiced concerns about the Wells and Watkins families. He has talked with the Wells family and they would like to leave it as a Planned Development Zone but they have no plans for any development at this time. Commissioner Bodily asked why Doug does not purchase the property which was in his original plan. Commissioner Bingham felt the property was too expensive but stated

who ever bought the property could blend it in with Doug's Development to make a nice addition. City Planner Wheelwright said we need to make sure that 100 and 200 West are shown as designated roads so they (Wells and Watkins) do not become land locked. Chairperson Ross asked what the Planning Commission could do to have Doug pave 100 West. City Planner Wheelwright said we could require him to put in as part of his Development Agreement. Commissioner Bodily asked if the city can approach him and require him to put in 100 West all the way through but was not sure the city could get him to pay for the whole road. He asked what the length would be that would not be paved. City Planner Wheelwright was not sure. Commissioner Bingham said if left unpaved it would become a parking lot for the 4 homes that surround it. Commissioner Meyer asked if Doug did not pave it who would be responsible for paving. City Planner Wheelwright said possibly the city and felt it needed to be paved by Doug. Commissioner Bingham asked if they could require him to put money aside for the paving. Chairperson Ross asked if this information could be conveyed to SLUA (Subdivision Land Use Authority) or the engineer. City Planner Wheelwright stated it would need to be added to the Development Agreement and Doug would need to approve. He also stated it could be addressed at the public hearing and would talk to Doug and Ryan. Chairperson Ross stated if it is in their development and is a master planned road it needs to be paved. Commissioner Meyer stated if it does not get paved it will become a nuisance. City Planner Wheelwright suggested we ask for the sidewalk to also be added. Chairperson Ross also stated all improvements needed to be put in place in Phase 1 before houses are built. Commissioner Bodily felt they were trying to weasel out trying to put in items.

City Planner Wheelwright stated his original plan was a very nice development and would have given him a lot more lots so he was not sure why he did not go with it. Chairperson Ross said another issue is he is getting out of putting a park in the development. City Planner Wheelwright said he is getting out of improving a lot of open space. Commissioner Bodily stated the Mayor indicated the city does not need another park but with a development of this size you are going to need to have a park and it is a long ways away from any other parks. It was stated there are lots of alternative parks around the surrounding areas that could incorporate natural elements. Commissioner Baker asked about the church land that could become a park and asked what is going to happen with the property if the church does not build. There was confusion on whether it is a church or park and at one time the development had land for both. City Planner Wheelwright stated the church could sell the property and buy a parcel of land along Hwy 89 to build where they want. The property will remain what it currently is - weeds. Commissioner Baker stated if it is going to be a weed patch it might as well be a park of some type.

Chairperson Ross stated in the General Plan under Parks and Recreation *states "Recognize that parks and open space are essential ingredients of both the physical and sociological environments. These areas not only provide opportunities for both active and passive recreation, but also increase the provision of a valuable city amenity."* He understands that parks are expensive but to have a city without a park is not a very attractive city. Parks are where people gather for activities such as bike riding, kite flying etc. Commissioner Baker asked about Plan #1 and asked if Doug was short on open space because he does not own the property at the bottom. City Planner Wheelwright was not sure and would need to find out. Commissioner Meyer asked what the benefits were to Doug with this new plan. City Planner Wheelwright was not sure. Commissioner Bingham asked about open space. City Planner Wheelwright stated Doug is considering the meandering sidewalks and park strips open space. The development will have an HOA that is run by lawyers that will take care of the maintenance of the open space. Would the HOA maintain the park? City Planner Wheelwright stated that would be up for negotiation and depends of if the city wants a city wide park then the city would need to take over the park. Doug could put the park in and then turn it over to the city. City Planner Wheelwright stated most of these items can be addressed at the public hearing.

Chairperson Ross asked for any additional changes to the General Plan. City Planner Wheelwright stated he has turned the General Plan over to the City Attorney for review. He asked for a motion to accept the changes.

A motion was made by Commissioner Meyer to accept the change to the General Plan. The motion was seconded by Commissioner Bingham. The motion carried.

5. Approval of Minutes

The minutes of the April 2, 2015 Planning Commission meeting were reviewed. A motion was made by Commissioner Baker to approve the above minutes as amended with typographical errors. The motion was seconded by Commissioner Meyer. The motion carried.

6. Commissioner Comments/Staff Comments

Commissioner Bodily stated he has given the Joel Murray project serious thought and stated if all of Hwy 89 is zoned commercial we need to look at what we allow in commercial. City Planner Wheelwright stated he has done research and the excavation permit on file for Joel Murray is for a haul road only and a retention pond. Commissioner Bodily said Joel has poured cement and asked what it was. City Planner Wheelwright stated he has only seen a retaining wall. Commissioner Meyer suggested City Planner Wheelwright go up a look at what is happening. Commission Secretary Nebeker asked the Planning Commission members to look at the matrix and ask themselves if everything allowed in the matrix is something they want to see along mainstreet. Commissioner Bodily stated during the last rainstorm everything turned to dirt and felt there was no way to control keeping the gravel watered down. There was discussion held on dust and how best to control.

City Planner Wheelwright stated we need to look at what is best for the city. There are three types of commercial – Commercial Neighborhood which allows for mom and pop type business, Commercial General that allows for big box stores and Manufacturing/Industrial which allows for factories. Commercial Neighborhood are what we may want to look at along Hwy 89. Commissioner Baker stated there are two uses a conditional use and a permitted use and if a conditional use is required you still have to allow them to come in but you apply conditions to the permit. Commissioner Bingham stated if Joel Murray is only selling gravel you have to let him sell it and set conditions. Commissioner Baker asked if we can set specific conditions without him going to an attorney. Commissioner Bingham said if you zone the property commercial and then deny him he would be able to obtain an attorney. Commissioner Ross read from Section 12-112 on Commercial Neighborhood and Commercial General Districts and also in the Matrix on Sales of Rock, Sand and Gravel and discussion was held on the Joel Murray project. He felt it should not take 10 years to remove the gravel. With the approval of the General Plan we eluded to the fact we would have an answer for him. City Planner Wheelwright stated he talked to Joel after the meeting and told him just because the General Plan is approved does not make the area commercial he would still need to re-zone the property. He also explained to Chairperson Ross that the Planning Commission discussed zoning everything throughout the town ½ acres with commercial along the highway. Chairperson Ross said as a resident living along Hwy 89 he was in favor of commercial along Hwy 89. He felt long term businesses will want to be along mainstreet. City Planner Wheelwright stated this is any town USA. Commissioner Bingham stated in the old days Willard's mainstreet was commercial. Chairperson Ross asked the Planning Commission members to review Section 12-112 for the next meeting.

Commissioner Meyer stated as she has driven down main roads the commercial has all moved somewhere else. We need to be careful of those residents living along mainstreet to not have residential among commercial. If we do a blanket commercial zone we could be causing a problem. Commissioner Bodily stated Willard City needs some type of commercial.

City Planner Wheelwright said Willard is moving ahead with the Willard Basin project and the 200 West project will begin paving the middle of May.

7. Adjourn

A motion was made by Commissioner Bodily to adjourn the April 16, 2015 Planning Commission meeting. The motion was seconded by Commissioner Baker. The motion carried. The meeting adjourned at 7:45 p.m.

Minutes were read individually and approved on **May 8, 2015**

Planning Commission Chair Person
Terry Ross

Planning Commission Secretary
Gaylene Nebeker